

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Steven C. QUAY

Application No.: Not yet assigned

Filed: July 14, 2003

For: PHASE SHIFT COLLOIDS AS
ULTRASOUND CONTRAST AGENTS

Examiner: Not yet assigned

Art Unit: Not yet assigned

INFORMATION DISCLOSURE
STATEMENT UNDER 37 CFR §1.97 and
§1.98

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The references cited on attached form PTO/SB/08A and PTO/SB/08B are being called to the attention of the Examiner. The cited references are of record in parent application 09/688,117, having been submitted with the Information Disclosure Statement filed September 25, 2002 and the Supplemental Information Disclosure Statement filed November 27, 2003, respectively. Thus, copies of the references are not enclosed. Should the Examiner wish to have another set of references, applicant will gladly provide it. It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

Applicant believes that no fee is required for submission of this statement.

However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,

Joel G. Ackerman
Reg. No. 24,307

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, 8th Floor
San Francisco, California 94111-3834



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Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

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Sheet

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of

C m p l t e i f K n w n

Application Number	09/688,117
Filing Date	October 16, 2000
First Named Inventor	Quay, Steven C.
Art Unit	1617
Examiner Name	SHARAREH
Attorney Docket Number	021315-022050US

U.S. PATENT DOCUMENTS

Examiner	Cite No. ¹	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
	AA	US-				
	AB	US-				
	AC	US-				
	AD	US-				
	AE	US-				
	AF	US-				
	AG	US-				
	AH	US-				
	AI	US-				
	AJ	US-				
	AK	US-				
	AL	US-				
	AM	US-				
	AN	US-				
	AO	US-				
	AP	US-				
	AQ	US-				
	AR	US-				
	AS	US-				
	AT	US-				

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³	Number ⁴	Kind Code ⁵ (if known)				
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	AV							<input type="checkbox"/>
	AW							<input type="checkbox"/>
	AX							<input type="checkbox"/>
	AY							<input type="checkbox"/>
	AZ							<input type="checkbox"/>

Examiner
SignatureDate
Considered

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¹ Applicant's unique citation designation number (optional). ² Kind Codes of U.S. Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231

SF 1408974 v1

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Substitute for form 1449B/PTO		Complete If Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)		Application Number	09/688,117
		Filing Date	October 16, 2000
		First Named Inventor	Quay, Steven C.
		Art Unit	1617
		Examiner Name	SHARAREH
Sheet 2 of	Attorney Docket Number	021315-022050US	

OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS: <u>DOCUMENTS FROM THE FILE OF INTERFERENCE NO. 104,428 [QUAY V. SCHUTT ET AL.]</u>			
Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	BA	Quay preliminary motion No. 5 (contingent motion for additional interference)	
	BB	Quay preliminary motion no. 6 (for benefit of filing date)	
	BC	Schutt et al. opposition to Quay's (contingent) motion No., 5	
	BD	Schutt et al. opposition to Quay's motion No. 6	
	BE	First Declaration of Alexey Kabalnov	
	BF	First Declaration of Dilip M. Worah	
	BG	Supplemental Declaration of Dilip M. Worah	
	BH	Quay Reply No. 5	
	BI	Quay Reply No. 6	
	BJ	Rebuttal Declaration of Dilip M. Worah	
	BK	Deposition of Alexey Kabalnov	

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Sheet **3** of**Complete If Known**

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	BL	Deposition of Dilip Worah	
	BM	Quay objections to admissibility of Schutt evidence	
	BN	Schutt's response to Quay's objections to admissibility	
	BO	Third Declaration of Alexey Kabalnov	
	BP	(Further) deposition of Alexey Kabalnov	
	BQ	(Further) deposition of Dilip Worah	
	BR	Quay observations on cross-examination	
	BS	Quay motion No. 8 (to suppress evidence)	
	BT	Schutt's observations on cross-examination	
	BU	Quay response to Schutt observations on cross-examination	
	BV	Schutt's opposition 8 (to Quay's motion to suppress)	
	BW	Quay's reply No. 8	
	BX	Memorandum Opinion and Final Decision (on Preliminary Motions)	

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09/688,117

Filing Date

October 16, 2000

First Named Inventor

Steven C. Quay

Art Unit

1617

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	AV						<input type="checkbox"/>
	AW						<input type="checkbox"/>
	AX						<input type="checkbox"/>
	AY						<input type="checkbox"/>
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PTO/SB/08B (10-01)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS			
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	BC	HILPERT, "Contrast Agents in Diagnostic Ultrasound", chapter 3 of volume 1 of the text "Diagnostic Ultrasound, (1991)	
	BD	NOLLER, Chemistry of Organic Compounds, pp. 37-38 (W. B. Saunders Co., Philadelphia, 1951)	
	BE	DUPONT Freon® Technical Bulletin B-2 (1964)	
	BF		
	BG		
	BH		
	BI		
	BJ		
	BK		
	BL		
	BM		

Examiner Signature		Date Considered	
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